



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **EP-2**

April 1, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**PADUA FIRE-DISASTER DEBRIS REMOVAL
EMERGENCY WAIVER FOR PUENTE HILLS LANDFILL
SUPERVISORIAL DISTRICTS 4 AND 5
3 VOTES**

**JOINT RECOMMENDATION WITH THE DIRECTOR OF HEALTH SERVICES THAT
YOUR BOARD:**

Adopt the enclosed Resolution granting an emergency waiver for the temporary increase in the maximum amount of daily tonnage at the Puente Hills Landfill to accommodate the emergency disposal of fire debris from the Padua Fire and assist residents of the affected communities in expediting the recovery efforts. There will be no impact to the County General Fund.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Beginning on October 21, 2003, the Padua wildfire swept through portions of Southern California burning approximately 7,500 acres in the County of Los Angeles. A total of 55 homes were burned in the unincorporated County areas. The estimated debris generated by these burned homes is approximately 30,000 square feet with fire and demolition debris volume estimated in the range of 4,000 to 5,000 tons of materials that need to be disposed at a municipal solid waste landfill (Class III). To assist the fire victims, the Chief Administrative Office is coordinating with the Federal Emergency Management Agency to secure funding for debris disposal. Public Works, through a

contract, will arrange for a private contractor to remove fire debris and previously identified safety hazards, if any, from properties where permission is granted by the owner. The Puente Hills Landfill is the municipal solid waste landfill in the County of Los Angeles that is closest to the affected areas, and Public Works anticipates utilizing the Puente Hills Landfill for disposal of the portion of the debris that cannot feasibly be recycled.

The Puente Hills Landfill operates under Conditional Use Permit (CUP) Case No. 02-027-(4), issued by the County Regional Planning Commission, and Solid Waste Facility Permit (SWFP) No. 19-AA-0053, issued by the County Department of Health Services, Solid Waste Management Program, acting as the State-certified Local Enforcement Agency. Although Puente Hills Landfill has sufficient volumetric capacity to handle the fire debris, Condition Nos. 14(a) and 20 of the Landfill's CUP, and Condition 5(c) of the Landfill's SWFP restrict the receipt of refuse to 13,200 tons per day, Monday through Saturday. However, due to the Landfill's high volume of customers, this tonnage limit routinely forces the facility to close as early as 10 a.m. Such closure would result in turning away debris from the wildfire thereby impeding the cleanup process.

Pursuant to Condition 14(d) of the Puente Hills Landfill CUP, your Board may increase the maximum daily tonnage for the Landfill if there is a declared emergency or upon the joint recommendation of the Local Enforcement Agency (Health Services) and the Director of Public Works.

Acting as the Local Enforcement Agency for the SWFP, on November 25, 2003, Health Services granted a temporary waiver under the Permit to allow the facility to accept an additional maximum daily amount of 500 tons per day of fire debris exclusively, not to exceed 1,800 tons per week for a period of 120 days, and will be extending the waiver through July 31, 2004.

Public Works and the Health Services both concur that the requested waiver to increase the maximum amount of daily tonnage is necessary to protect public health and safety and will allow for a swift cleanup of the fire and demolition debris. Therefore, we are recommending that your Board authorize the temporary increase in the maximum amount of daily tonnage at Puente Hills Landfill to accommodate the disposal of the said fire and demolition debris.

The handling and/or separation of materials at the collection point will be done in compliance with emergency guidelines for the handling of ash, debris, and other materials from burned structures promulgated by applicable local, State, and Federal agencies, including but not limited to, the State Department of Toxic Substances

Control, the California Regional Water Quality Control Board–Los Angeles Region, the State-certified Local Enforcement Agency, and the Federal Emergency Management Agency.

Implementation of Strategic Plan Goals

This action meets the County's Strategic Plan Goal No. 1, Service Excellence, since the temporary increase in the maximum daily tonnage at Puente Hills Landfill, through the emergency waiver, will allow the County to expedite assistance to the fire victims in transporting and disposing fire and demolition debris.

FINANCING

There will be no impact to the County General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Chief Administrative Officer, pursuant to Chapter 2.68 of the Los Angeles County Code, found that on October 26, 2003, conditions of extreme peril to the safety of person and property arose as a result of multiple fires and these conditions necessitated the proclamation of a local emergency in and around the Cities of Claremont and La Verne.

Following this proclamation and the request of the Board of Supervisors, then-Governor Gray Davis also declared a State of Emergency in the County of Los Angeles on October 26, 2003. In addition, President George W. Bush declared these areas a disaster area on October 27, 2003, and offered the Federal Emergency Management Agency's assistance.

Pursuant to Section 40002 of the Public Resources Code, each jurisdiction is responsible for making adequate provisions for solid waste handling services within their corporate or political boundaries to preserve public health and safety and the well-being of the public. Proper collection and management of solid waste is an essential service that must be provided to all residents and businesses in order to protect public health and welfare while conserving natural resources.

County Counsel has reviewed and approved the Resolution as to form.

The Honorable Board of Supervisors
April 1, 2004
Page 4

IMPACT ON CURRENT SERVICES

There will be no impact on current services as a result of the required action.

CONCLUSION

Please return one adopted copy of this letter to the Department of Health Services, Solid Waste Management Program, and Department of Public Works, Environmental Programs Division.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

THOMAS L. GARTHWAITE, M.D.
Director of Health Services and
Chief Medical Officer

ZH/AC/SS:my
P:\sec\puenthls

Enc.

cc: Chief Administrative Office
County Counsel
Executive Office

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, CALIFORNIA,
TEMPORARILY INCREASING THE MAXIMUM DAILY TONNAGE FOR THE
PUENTE HILLS LANDFILL FOR EMERGENCY DISPOSAL OF DISASTER DEBRIS

WHEREAS, the Chief Administrative Officer, pursuant to Chapter 2.68 of the Los Angeles County Code, found that on October 26, 2003, conditions of extreme peril to the safety of person and property arose as a result of multiple fires and these conditions necessitated the proclamation of a local emergency in and around the Cities of Claremont and La Verne, and therefore, the Chief Administrative Officer proclaimed a local emergency throughout the County of Los Angeles; and

WHEREAS, following this proclamation and the request of the Board of Supervisors of the County of Los Angeles, the Governor of California also declared a State of Emergency in the County of Los Angeles on October 26, 2003; and

WHEREAS, on October 27, 2003, President George W. Bush declared the Counties of Riverside, San Bernardino, San Diego, Ventura, and Los Angeles a disaster area; and

WHEREAS, it is necessary to protect public health and safety and the environment by expeditiously removing damaged structures, ashes, and disaster debris from the affected areas; and

WHEREAS, it is in the County's best interest to expedite the recovery efforts by assisting the fire victims with the cleanup efforts and restore normalcy to the community; and

WHEREAS, in order to accommodate disposition of the disaster debris, on November 18, 2003, the County Sanitation Districts No. 2 of Los Angeles County requested an emergency waiver from the County Department of Health Services, Solid Waste Management Program, as the State-certified Local Enforcement Agency, that would allow the Puente Hills Landfill to remain open after reaching permitted tonnage limit to accept the disaster debris; and

WHEREAS, Health Services, acting as the Local Enforcement Agency, granted a waiver on November 25, 2003, to increase the maximum amount of daily tonnage by 500 tons and not to exceed 1,800 tons per week, and will be extending the waiver through July 31, 2004; and

WHEREAS, the Puente Hills Landfill, Conditional Use Permit 02-027(4), Condition 14(d) specifies that the Board of Supervisors may increase the maximum amount of daily tonnage allowed, upon the joint recommendation of Public Works and the Local Enforcement Agency or if there is a declared emergency; and

WHEREAS, on April 1, 2004, the Directors of Public Works and Health Services submitted a joint recommendation for the temporary increase of the maximum amount of daily tonnage allowed for the Puente Hills Landfill.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board of Supervisors hereby authorizes the County Sanitation Districts No. 2 of Los Angeles County, owner/operator of the Puente Hills Landfill, to temporarily accept, in addition to the currently permitted daily limit of 13,200 tons per day of solid waste, a maximum amount of 500 tons per day of fire and demolition debris materials exclusively, not to exceed 1,800 tons per week, or as determined necessary by the Directors of Public Works and Health Services to protect public health and safety and the environment.
2. This temporary increase shall be in effect immediately and shall remain in effect concurrent with any emergency waiver of the Solid Waste Facility Permit granted by the Local Enforcement Agency, or 120 days from the date of adoption, whichever is less.
3. The waiver period may be extended by joint action of the Directors of Public Works and Health Services if determined necessary to protect public health and safety and the environment and to ensure the intent of this Resolution.

The foregoing Resolution was adopted on the ____ day of _____, 2004, by the Board of Supervisors of the County of Los Angeles.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

ZH/AC/SS:my
P:\sec\puenthlsenc